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VIA ECF

Hon. Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street, Room 1050
New York, New York 10007

Commodity Futures Trading Commission v. Gemini Trust Company, LLC,
Case No. 22-cv-4563

Dear Judge Hellerstein:

This firm represents defendant Gemini Trust Company, LLC. As the Court is aware, on August 8, Gemini filed a motion pursuant to 28 U.S.C. § 1292(b) seeking interlocutory appeal of the Court's order granting in part the CFTC's motion for partial summary judgment. ECF #139. That motion, which also sought a stay of the trial currently scheduled to begin on January 13, 2025, is now fully briefed. Gemini respectfully submits that this motion raises serious issues, including issues that will directly bear on the parties' preparations for trial.

For this reason, Gemini believes oral argument may aid the Court in making its decision. Gemini is available any day in November. The CFTC has informed us that it takes no position on this request but that it is available on November 4, 6, 12, 13, 14, 18, 19, 20, and 25.

Respectfully submitted,

/s/ John F. Baughman

cc: Counsel of Record